

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

<p>MICHAEL BRENNAN, as Guardian Ad Litem for and on behalf of K.S. and S.S., Minors; JONATHAN SPURR and KELLY JEAN SPURR, Individually and as Next Friend for and on behalf of Z.S., a Minor</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>FORD MOTOR COMPANY; TRW AUTOMOTIVE U.S., LLC; TRW VEHICLE SAFETY SYSTEMS,</p> <p style="text-align: center;">Defendants.</p>	<p><b>CIV-14-CV-0006-JAP-KBM</b></p>
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**ORDER ON PLAINTIFFS' MOTION TO COMPEL DISCOVERY**

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THIS MATTER is before the Court on *Plaintiffs Motion to Compel Discovery as to Defendant TRW Vehicle Safety Systems Inc.* (Doc. 88). Following consideration of the pleadings, the evidence submitted, and arguments of counsel at a hearing held May 15, 2015, the Court hereby finds that Plaintiffs' motion shall be granted in part and denied in part, as follows:

As to TRW VSSI's objections to the scope of Plaintiffs requests for discovery (Request for Production nos. 4, 5, 8, 9, & 11; Interrogatory nos. 5.01, 5.02, 6.01 – 6.06, 7 & 11; and Fed. R. Civ. P. 30(b)(6) Topic Nos. 1 & 3), scope of discovery shall be limited at this time to the type seat belt system installed in Plaintiffs vehicle, which TRW VSSI has represented seat belt assemblies TRW VSSI supplied to Ford for installation in the U137 Platform Ford Excursion vehicles: 1) front row outboard seating positions equipped with

either a split bench or bucket seats in MY 2001-2004 Ford Excursion vehicles and 2) second row outboard seating positions equipped with bucket seats in MY 2002-2005 Ford Excursion vehicles.

After Plaintiffs have had the opportunity to evaluate information produced in compliance with this Order, if Plaintiffs have evidence that other safety belt system components provided by TRW VSSI to Ford for inclusion in the 2000–2005 Ford Excursion constitute a safer alternative design, Plaintiffs may file an appropriate motion with the Court seeking to broaden the scope of discovery for purposes of safer alternative design issues.

Plaintiffs motion to compel the identification of all vehicles containing these seat belt systems (Request for Production nos. 6 & 7; Fed. R. Civ. P. 30(b)(6) Topic Nos. 2 & 4), the identification of the subsidiaries and the parent companies of TRW VSSI, and the members of TRW VSSI's board of directors who are affiliated with either TRW Automotive Holdings Corp. or TRW Automotive U.S. LLC, (Interrogatory no. 8.01-8.04) are denied.

Subject to the foregoing ruling on scope of discovery, Plaintiffs' motion to compel discovery of warranty claim information (Request for Production no. 12; Interrogatory no. 5.1; and Fed. R. Civ. P. 30(b)(6) Topic no. 5), including TRW VSSI's analysis of Ford warranty data and information relating to the inspection and analysis of equipment which was the subject of a warranty claim, is granted in part. TRW is instructed to: (1) query Ford's database and its own database, if one exists; (2) produce all reasonably readily available responsive information in TRW's possession as soon as possible; (3) on or before May 22, 2015, file a letter addressed to the Court explaining how the analysis of warranty information is organized and functions within TRW VSSI, including the type information available, and what is involved in gathering and producing such information; and (4) should TRW VSSI contend that supplying any responsive warranty analysis

information is unduly burdensome to produce, report to the Court, in writing, explaining the basis for its claim.

Plaintiffs' motion to compel discovery regarding contentions of TRW VSSI (Interrogatory no. 4 and Request for Production nos. 13 & 14) is denied, as the Court finds the responses sufficient.

All information addressed in this Order, except the warranty information which is not readily and reasonably available and which TRW VSSI alleges to be unduly burdensome to produce, shall be produced as soon as possible.

In all other respects, the motion is denied.

IT IS SO ORDERED this 27th day of June, 2015.

  
UNITED STATES CHIEF MAGISTRATE JUDGE